

2004 - Judiciary Rules Senate Pending Fee Rule (Green)

ADMINISTRATIVE RULES REVIEW

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IDAPA 21 - DIVISION OF VETERANS SERVICES

21.01.04 - RULES GOVERNING THE IDAHO STATE VETERANS CEMETERY

DOCKET NO. 21-0104-0301 - (FEE RULE)

NOTICE OF RULEMAKING - PENDING FEE RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2004 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved, rejected, amended or modified by the concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 65-202, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change. These rule changes were needed to insure that two cremains containers would fit into one niche for veterans who wish to be interred with a spouse and to establish the fees for interment, disinterment, and reinterment.

There is no change between the text of the proposed rule and the text of the pending rule. The pending rule is being adopted as proposed. The text of the proposed rule was published in the October 1, 2003 Idaho Administrative Bulletin, Volume 03-10, pages 347 and 348.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased. A fee of \$300 will be imposed for interment, disinterment, or reinterment of remains in the State Veterans Cemetery.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Richard Jones at (208) 334-3513.

DATED this 23rd day of October 2003.

Richard W. Jones, Administrator
Division of Veterans Services
320 Collins Road, Boise, Idaho 83702
Phone: (208) 334-3513 / Fax: (208) 334-2627

IDAPA 21, TITLE 01, CHAPTER 04

RULES GOVERNING THE IDAHO STATE VETERANS CEMETERY

There are no substantive changes from the proposed rule text.

The complete text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 03-10, October 1, 2003, pages 347 and 348.

This rule has been adopted as a pending rule by the Agency and is now pending review and approval by the 2004 Idaho State Legislature as a final rule.

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IDAPA 21 - DIVISION OF VETERANS SERVICES

21.01.04 - RULES GOVERNING THE IDAHO STATE VETERANS CEMETERY

DOCKET NO. 21-0104-0301 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has proposed rulemaking. The action is authorized pursuant to Section(s) 65-202, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2003.

DESCRIPTIVE SUMMARY: The following is a non-technical explanation of the substance and purpose of the proposed rulemaking:

To establish charges for interment, disinterment, and reinterment in the State Veterans Cemetery.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased.

A fee of \$300 will be imposed for interment, disinterment, or reinterment of remains in the State Veterans Cemetery.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the fee source is the Department of Veteran's Affairs.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OR WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Richard Jones at (208) 334-3513.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2003.

DATED this 11th day of August, 2003.

Richard W. Jones, Administrator
Idaho Division of Veterans Services
320 Collins Road
Boise, Idaho 83702
Telephone: (208) 334-3513
FAX (208) 334-2627

THE FOLLOWING IS THE TEXT OF DOCKET NO. 21-0104-0301

022. INTERMENT AND REINTERMENT.

01. Remains. Remains shall be delivered to the cemetery in a casket or, if cremated, in a recoverable container. The container for cremains designated by the applicant for interment in a location other than a grave plot shall not exceed ~~five and one-half~~ nine (~~5-1/2~~ 9) inches in width, ~~eleven~~ thirteen (~~11~~ 13) inches in height, and ~~eleven~~ nine (~~11~~ 9) inches in depth. (~~5-3-03~~)()

02. Committal Services. The cemetery shall provide a designated location for committal services.

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DIVISION OF VETERANS SERVICES
Idaho State Veterans Cemetery

Docket No. 21-0104-0301
Proposed Rulemaking

Graveside committal services shall not be held in the cemetery. The cemetery shall not provide facilities for viewing of remains. The arrangements for and any expenses associated with committal services shall be the responsibility of the applicant. The administrator may assist the applicant in applying for military honors. (5-3-03)

(BREAK IN CONTINUITY OF SECTIONS)

024. FEES FOR INTERMENT, DISINTERMENT, AND REINTERMENT.

The administrator shall charge the following fees:

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01. Interment. The administrator shall charge a fee of three hundred dollars (\$300) for opening and closing an interment site. The administrator shall accept, as full payment the amount of reimbursement by the USDVA to the division for opening and closing an interment site for a qualified veteran.

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02. Disinterment. The administrator shall charge a fee of three hundred dollars (\$300) for opening an interment site. The expenses of removal, transportation and reinterment of remains, and the expenses of removal, transportation and reinstallation of the grave marker, if any, shall be paid by the applicant for disinterment.

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03. Reinterment. The administrator shall charge a fee of three hundred dollars (\$300) for reinterment. The expenses of reinterment of remains and reinstallation of the grave marker, if any, shall be paid by the applicant for reinterment.

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~~024~~5. -- 029. (RESERVED).

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